

## **Plaintiffs' Exhibit C**

**VIDEO TELECONFERENCE DEPOSITION  
SIERRA ELIZABETH BOUCHER**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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SIERRA BOUCHER, LILY ENGEBRECHT,  
NATASSIA TUHOVAK, HANNAH WHELAN, and  
CASSIDY WOOD,

Plaintiffs,

- against - Case No.  
1:22-cv-00381-CCR

TRUSTEES OF CANISIUS COLLEGE,

Defendant.  
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Video teleconference deposition of **SIERRA  
ELIZABETH BOUCHER**, Plaintiff, present at  
HODGSON RUSS LLP, The Guaranty Building,  
140 Pearl Street, Suite 100, Buffalo, New York,  
taken pursuant to the Federal Rules of Civil  
Procedure, connecting to various locations on  
September 18, 2024, commencing at 9:35 a.m., before  
ANDREA J. DEMYAN, Notary Public.

10:07:14 1 Q. And when was that trip?

10:07:15 2 A. So that trip was in February of 2018.

10:07:18 3 Q. So you would have been a spring  
10:07:20 4 semester freshman?

10:07:21 5 A. Yes, correct.

10:07:24 6 Q. Okay. And it sounds like that's about  
10:07:28 7 the time that you left the crew team?

10:07:29 8 A. I left the crew team maybe a month  
10:07:34 9 after the Project Wolf trip to Yellowstone  
10:07:40 10 Colorado. I can't remember exactly, but it was not  
10:07:42 11 long after Project Wolf.

10:07:43 12 Q. Did you receive any scholarships from  
10:07:52 13 Canisius, either academic or merit -- merit or  
10:07:56 14 need?

10:07:56 15 A. Yes. I don't remember the exact  
10:07:59 16 breakdown. I did get some need based scholarship,  
10:08:07 17 maybe also some merit based scholarship.

10:08:09 18 I got a small scholarship from the crew team  
10:08:12 19 when I was on it and then my sophomore year I think  
10:08:21 20 I joined the science scholars program which also  
10:08:25 21 gave me a little bit of funding.

10:08:29 22 Q. And can you tell me what the science  
10:08:31 23 scholars program is?

10:08:34 1           **A.**    Yeah.  So it was a program designed  
10:08:39 2 for -- pardon me --

10:08:41 3           **Q.**    It's okay.

10:08:41 4           **A.**    A program designed to mentor ABEC and  
10:08:47 5 biology students who intended to go on to Ph.D  
10:08:51 6 programs.  It was run to my knowledge by  
10:08:58 7 Dr. Andrew Stuart, he was kind of the coordinator  
10:09:00 8 at least.

10:09:00 9           And to my understanding, like kind of the  
10:09:03 10 intention of the program as a whole was almost a  
10:09:06 11 experiment to see if Ph.D students are given some  
10:09:10 12 mentorship and some like socializing, like we would  
10:09:15 13 go and have like parties together and meet up to  
10:09:17 14 study and stuff, if that would help them in their  
10:09:21 15 pursuit of a Ph.D.  If they would go on -- if  
10:09:24 16 they're more likely to go on to have a Ph.D.

10:09:26 17           **Q.**    To participate in the science scholars  
10:09:31 18 program, did you have to express an interest in  
10:09:37 19 potentially moving -- moving toward a Ph.D?

10:09:40 20           **A.**    Yes.

10:09:40 21           **Q.**    Okay.

10:09:40 22           **A.**    I did.

10:09:41 23           **Q.**    Okay.

10:11:45 1           **A.**    I believe so. I think it was, but  
10:11:49 2 don't know --

10:11:49 3           **Q.**    Okay.

10:11:49 4           **A.**    -- what the --

10:11:51 5           **Q.**    Only tell me what you know. That's  
10:11:53 6 fine. Did you have any -- did you get any academic  
10:12:01 7 honors at graduation?

10:12:03 8           **A.**    No.

10:12:04 9           **Q.**    Any Latin honors? You know,  
10:12:07 10 sometimes -- do they have cum laude, magna cum  
10:12:11 11 laude, summa cum laude at Canisius?

10:12:12 12           **A.**    I'm not sure and honestly I wasn't  
10:12:17 13 paying a lot of attention to my graduation. I felt  
10:12:23 14 kind of just ready to get out of there, very done  
10:12:29 15 with Canisius. So I didn't attend graduation and  
10:12:35 16 I -- I honestly don't remember if I got any  
10:12:39 17 academic honors.

10:12:40 18           **Q.**    Was there -- so you attended Canisius  
10:12:49 19 during COVID, right?

10:12:51 20           **A.**    Correct. There was --

10:12:54 21           **Q.**    Was there a live graduation for your  
10:12:56 22 class?

10:12:56 23           **A.**    There was, yeah.

10:43:14 1           **A.**    Yes.

10:43:14 2           **Q.**    -- with Dr. Noonan?

10:43:21 3           **A.**    Yes.

10:43:21 4           **Q.**    Okay.  Other than your encounter when  
10:43:23 5 you were in high school, do you believe you had  
10:43:27 6 interacted with Dr. Noonan prior to sending this  
10:43:32 7 October 2017 e-mail?

10:43:34 8           **A.**    He was also my academic advisor so I  
10:43:42 9 imagine that I did, but my first remembrances of  
10:43:47 10 interacting with him after junior year of high  
10:43:50 11 school --

10:43:50 12          **Q.**    Right.

10:43:50 13          **A.**    -- was about Project Wolf --

10:43:52 14          **Q.**    Okay.

10:43:52 15          **A.**    -- and the application process.

10:43:55 16          **Q.**    The -- the assignment of you to  
10:43:58 17 Dr. Noonan for academic advisement, was that  
10:44:02 18 random, did you ask, how did that work, if you  
10:44:04 19 know?

10:44:04 20          **A.**    I don't know how it worked.

10:44:05 21          **Q.**    Okay.  You didn't pick him to the best  
10:44:07 22 of your recollection?

10:44:07 23          **A.**    No, I did not pick him.

11:12:09 1           **A.**     No.

11:12:10 2           **Q.**     Okay.

11:12:10 3           **A.**     I did not report that to anyone at  
11:12:14 4 Canisius. Again, it really felt like this was  
11:12:17 5 something that I just had to deal with in order to  
11:12:21 6 get towards my goals.

11:12:23 7           **Q.**     Sure. Okay. I understand. Other  
11:12:32 8 behaviors, comments, concerns about Dr. Noonan or  
11:12:38 9 by Dr. Noonan in connection with the Project Wolf  
11:12:43 10 trip that you recall?

11:12:44 11           **A.**     Yeah. I mean, there was a lot of girl  
11:12:52 12 talk. Like I said, you know, the lead into the  
11:12:54 13 conversation where he mentioned wanting to date my  
11:12:57 14 mom, that started with him talking about dating  
11:13:00 15 younger women and how he'd done that many times  
11:13:03 16 before and it wasn't that strange for him to do  
11:13:06 17 that.

11:13:08 18           **Q.**     Did he raise those concerns,  
11:13:09 19 Ms. Boucher, kind of -- or did he raise those  
11:13:12 20 issues kind of out of the blue or randomly or was  
11:13:15 21 it part of a discussion with -- with others about  
11:13:19 22 their experiences?

11:13:20 23           **A.**     No. It was never something that -- in

11:13:24 1 my memory, it was never something that we brought  
11:13:26 2 up first. It was always something that he --  
11:13:29 3 because he -- he talked a lot about himself and  
11:13:33 4 kind of his -- his life and his escapades, right?

11:13:39 5 And sometimes that would be about, you know,  
11:13:40 6 professional things that he had done that he felt  
11:13:42 7 was very impressive and that would lead into other  
11:13:46 8 things that he has done that he has -- felt is  
11:13:50 9 impressive, right?

11:13:52 10 Talking about dating younger women a lot and  
11:13:56 11 then asking us about our, you know, romantic and  
11:14:01 12 sexual lives, you know, who are you dating, stuff  
11:14:06 13 like that. And that was, you know, not just on the  
11:14:10 14 bus on the way to Cleveland, but throughout the  
11:14:12 15 entire Project Wolf trip it was brought up a lot.

11:14:16 16 Q. More -- more than one occasion?

11:14:18 17 A. Absolutely.

11:14:18 18 Q. Okay. And that was typically in a  
11:14:22 19 group?

11:14:23 20 A. Typically, but not always. I mean, I  
11:14:27 21 spent a lot of time with him alone at his lab  
11:14:32 22 editing and working on the video and he would talk  
11:14:35 23 about it then too.

14:20:07 1 not check in at all. He didn't check in with any  
14:20:11 2 of us about this like emotionally difficult  
14:20:13 3 situation.

14:20:14 4 And when I refused to do something that he  
14:20:21 5 wanted me to do for I think maybe the first time  
14:20:28 6 ever, his only response was, okay, you have no use  
14:20:33 7 anymore, give me the camera, I will do it.

14:20:42 8 And that felt different to what had -- you  
14:20:49 9 know, the -- the relationship that I had thought  
14:20:50 10 that we had maybe built. You know, any good that I  
14:20:54 11 thought maybe we had there, any trust that he  
14:20:58 12 actually had in me or care that he had in me, it --  
14:21:03 13 gone, not there.

14:21:05 14 Q. Did you do -- did you take any more  
14:21:09 15 video shots while you were in India after that?

14:21:13 16 A. Yes, I did. Just not in that  
14:21:17 17 interview.

14:21:18 18 Q. Okay. While you were in India -- and I  
14:21:28 19 think I know the answer to this because you told me  
14:21:30 20 about the kitchen table conversation you had with  
14:21:32 21 your family in 2019 -- did you talk to your parents  
14:21:40 22 about the way in which Dr. Noonan was behaving?

14:21:44 23 A. No, I did not. I honestly don't even

14:21:50 1 know if I had a way to contact them. I mean, we  
14:21:53 2 were in another country. I didn't have -- I didn't  
14:21:55 3 get like an additional SIM card. My phone wasn't  
14:21:58 4 working.

14:21:59 5 **Q.** Did you have internet capability?

14:22:01 6 **A.** Not that I remember. I mean, I  
14:22:05 7 remember going dark for two weeks. Whether that  
14:22:09 8 was just from how much we were working or just  
14:22:14 9 complete inability, I don't recall.

14:22:15 10 **Q.** And I take it then you didn't contact  
14:22:17 11 anybody at Canisius faculty or staff about the way  
14:22:21 12 Dr. Noonan was behaving while you were in India?

14:22:23 13 **A.** No, I did not.

14:22:23 14 **Q.** Okay. Did you -- when you left India,  
14:22:39 15 was it -- you have to forgive me, I've never been  
14:22:41 16 to India, but when you left, was that January 12th  
14:22:47 17 or January 13th? Because you landed in Buffalo on  
14:22:50 18 January 13th.

14:22:52 19 **A.** I mean, it's like a 16-hour flight so  
14:22:59 20 I'm willing to bet we left the 12th, but I don't  
14:23:02 21 remember exactly.

14:23:05 22 **Q.** After you landed in Buffalo, did you go  
14:23:07 23 home from the rest of the break, did you stay in

15:16:31 1           **A.**    I don't remember.

15:16:33 2           **Q.**    Do you think it was the morning, the  
15:16:34 3 afternoon?

15:16:35 4           **A.**    I -- I don't know.

15:16:36 5           **Q.**    Okay.

15:16:37 6           **A.**    I -- I don't remember.

15:16:38 7           **Q.**    That's fine. If you look at the second  
15:16:40 8 page of Exhibit -- is it BG for identification --  
15:16:47 9 it looks as if you sent a personal statement to her  
15:16:55 10 February 11th at 9:04 a.m.?

15:16:58 11          **A.**    Yes.

15:16:58 12          **Q.**    Do you remember when you prepared that  
15:17:02 13 personal statement which is Exhibit BH for  
15:17:06 14 identification?

15:17:06 15          **A.**    I do not remember specifically when I  
15:17:10 16 prepared it. I -- it -- what I do remember is that  
15:17:14 17 we met with them initially as a group and we met  
15:17:17 18 with Linda initially as a group and then she  
15:17:20 19 instructed us that she wanted us to do individual  
15:17:23 20 statements and have individual meetings with her.  
15:17:26 21 So --

15:17:30 22          **Q.**    Was this the statement Exhibit BH, was  
15:17:32 23 that the statement that Linda had requested?

15:17:37 1           **A.**     Yes.   After -- this is the statement  
15:17:38 2           that I prepared after her instruction to do so  
15:17:43 3           after our initial meeting.

15:17:44 4           **Q.**     Do you think you prepared this  
15:17:47 5           statement before you met with Linda Walleshauser or  
15:17:51 6           after?

15:17:51 7           **A.**     I remember it being after.   So it's  
15:17:54 8           possible that we met with her as a group before  
15:17:58 9           February 11th, but I remember preparing this after  
15:18:01 10          our initial group meeting.

15:18:03 11          **Q.**     And I -- and if you would just take a  
15:18:06 12          quick read through it, I think we've talked about  
15:18:11 13          most, if not all, of these particular concerns.

15:18:17 14          My question to you will be whether you  
15:18:21 15          believe that this statement is a comprehensive  
15:18:25 16          statement of the issues of concern that you wanted  
15:18:27 17          to bring to the college's attention on  
15:18:31 18          February 11th of 2019.

15:18:42 19          **A.**     No, I do not believe this is a  
15:18:44 20          comprehensive statement.

15:18:46 21          **Q.**     Okay.   What's missing from it?

15:18:47 22          **A.**     So one specific instance that I think  
15:18:51 23          is missing is the experience that I mentioned about

15:18:56 1 me standing up for [REDACTED] and insisting that I  
15:18:59 2 be there as Noonan tries to interact with her.

15:19:02 3 Q. Okay. Let me ask -- okay. So on that  
15:19:04 4 one, did you ultimately discuss that issue, do you  
15:19:07 5 recall, with Ms. Walleshauser?

15:19:09 6 A. No, I did not. What I remember is that  
15:19:16 7 at the time with a, you know, lack of instruction  
15:19:20 8 from Ms. Walleshauser as to what was relevant, what  
15:19:25 9 sort of situations we should bring up to her, I at  
15:19:32 10 the time considered that kind of a part of Emily's  
15:19:37 11 statement and her experience so I didn't bring it  
15:19:43 12 up.

15:19:43 13 Q. And do you know if Emily reported that  
15:19:46 14 to Ms. Walleshauser?

15:19:46 15 A. I don't know.

15:19:47 16 Q. Okay. Were you present at the meeting  
15:19:48 17 with Ms. Walleshauser where [REDACTED] was also there?

15:19:51 18 A. No, I was not.

15:19:52 19 Q. Okay. Were you present at the group  
15:19:54 20 meeting when Hannah Whelan was there?

15:19:57 21 A. I was present at the group meeting that  
15:20:01 22 everyone was at.

15:20:02 23 Q. Okay. Do you know if Hannah Whelan

15:20:05 1 related the episode involving [REDACTED], Hannah, and  
15:20:12 2 Professor Noonan to Ms. Walleshauser, do you  
15:20:15 3 remember hearing that when you were at the meeting?

15:20:19 4 **A.** Yes, I do. But what I remember is them  
15:20:22 5 talking about their specific interaction with  
15:20:25 6 Noonan initially talking to them about  
15:20:27 7 suppositories, but that wasn't the only thing they  
15:20:31 8 brought up. But I do not recall them talking about  
15:20:36 9 me, [REDACTED] and Noonan in that interaction.

15:20:39 10 **Q.** Okay. Is there any other concern or  
15:20:46 11 behavior that you feel that you did not include in  
15:20:53 12 your statement that you prepared for  
15:20:57 13 Ms. Walleshauser?

15:21:06 14 **MS. NANAU:** I'm going to just object to the  
15:21:08 15 form of the question. You can answer.

15:21:16 16 **THE WITNESS:** I mean, I think -- I think  
15:21:27 17 what I left out and what I would -- you know, if I  
15:21:30 18 were to write this now --

15:21:32 19 **BY MR. D'ANTONIO:**

15:21:32 20 **Q.** Yeah.

15:21:32 21 **A.** -- which is kind of what this is --

15:21:35 22 **Q.** Well, not really, but if you were to  
15:21:37 23 write it now, what would you include?

15:21:44 1           **A.**     I would be much more specific and  
15:21:49 2     overarching in explaining that these behaviors were  
15:21:55 3     really constant.

15:21:56 4           I think I hit a lot of, you know, specific  
15:21:59 5     points or mentioned offhand asks for dating advice  
15:22:05 6     when one-on-one with female students, but this was  
15:22:11 7     written by someone who did not at all understand  
15:22:16 8     what the Title IX office would be looking for.

15:22:21 9           Or what would have been helpful for the  
15:22:25 10    Title IX office or to our case as -- as people  
15:22:30 11    trying to explain to the Title IX office what was  
15:22:33 12    happening.    Yeah.

15:22:37 13           **Q.**     All right.

15:22:38 14           **MS. NANAU:**   Were you done with your answer?

15:22:41 15           **THE WITNESS:**   Yes.

15:22:41 16           **MS. NANAU:**   Okay.

15:22:42 17           **BY MR. D'ANTONIO:**

15:22:50 18           **Q.**     Did you at any point after  
15:22:56 19     February 11th of 2019, have any interaction with  
15:23:03 20     Michael Noonan?

15:23:05 21           **A.**     Yes.

15:23:05 22           **Q.**     When?

15:23:06 23           **A.**     I was working with him almost every day

15:23:10 1 in his lab until he -- I think there was a period  
15:23:14 2 of time before he was actually removed from campus  
15:23:17 3 where he was off on a trip.

15:23:21 4 He wasn't on campus, but until he left which  
15:23:28 5 I think was like at least a week, if not more, I  
15:23:31 6 was working with him in his office -- office often.

15:23:35 7 Q. When did you meet with Ms. Walleshauser  
15:23:38 8 one-on-one, February 11th, February 12th,  
15:23:41 9 February 13th?

15:23:42 10 A. I don't remember specifically. I think  
15:23:46 11 in this e-mail it indicates that we met Wednesday,  
15:23:52 12 but I don't specifically remember what day.

15:23:54 13 Q. So Wednesday would have been the 13th?

15:23:56 14 A. Yes, it would have been.

15:23:57 15 Q. Okay. Okay. Are you aware that  
15:24:02 16 Dr. Noonan was out of the state beginning on  
15:24:07 17 February 14th?

15:24:08 18 A. Like I said, I think I remember him  
15:24:11 19 being on a trip or something, but I -- between when  
15:24:17 20 we went to the Title IX office as the group and  
15:24:20 21 that, I interacted with him.

15:24:23 22 Q. Okay. Did you -- did any aspect of  
15:24:29 23 that interaction with Dr. Noonan, result in a

15:24:37 1 further complaint to the Title IX office?

15:24:40 2 In other words, is there anything about the  
15:24:42 3 behaviors that were manifested in whatever  
15:24:46 4 additional contact you claim to have had with  
15:24:49 5 Dr. Noonan between February 11th and February 14th,  
15:24:54 6 did you complain about that to the Title IX office?

15:24:59 7 **MS. NANAU:** Objection to form. You may  
15:25:00 8 answer.

15:25:01 9 **THE WITNESS:** So in this complaint, like I  
15:25:06 10 said, there's some language about just his kind of  
15:25:13 11 overall behavior, how he exists on a day-to-day and  
15:25:17 12 interacts with us on a day-to-day.

15:25:19 13 **BY MR. D'ANTONIO:**

15:25:19 14 **Q.** Right.

15:25:19 15 **A.** And that was what I was experiencing.  
15:25:22 16 You know, the -- the control, the talk about our  
15:25:26 17 bodies.

15:25:27 18 **Q.** Did he talk about your body at some  
15:25:29 19 point between February 11th and February 14th to  
15:25:31 20 the best of your recollection?

15:25:33 21 **A.** Not to my recollection, no.

15:25:37 22 **Q.** Did he talk about his personal life at  
15:25:43 23 any point between February 11th and February 14th

15:25:46 1 to the best of your recollection?

15:25:48 2 **MS. NANAU:** Objection to form. You can  
15:25:49 3 answer.

15:25:49 4 **THE WITNESS:** He talked to me one-on-one  
15:25:54 5 about the fact that he felt like he was losing the  
15:25:59 6 girls, but I don't recall specifically if that was  
15:26:02 7 before or after we reported him to Title IX.

15:26:05 8 **BY MR. D'ANTONIO:**

15:26:06 9 **Q.** I thought you said it was before?

15:26:08 10 **MS. NANAU:** Objection.

15:26:08 11 **THE WITNESS:** I said I don't remember.

15:26:09 12 **BY MR. D'ANTONIO:**

15:26:09 13 **Q.** You don't remember one way or the  
15:26:11 14 other?

15:26:11 15 **A.** Yeah. I know it was after --

15:26:12 16 **Q.** I'm trying to --

15:26:13 17 **A.** Yeah, yeah. I know it was after we  
15:26:14 18 came back from India and before he was removed, but  
15:26:17 19 I don't remember if it was after we reported him.

15:26:19 20 **Q.** Okay. Between February 14th and today,  
15:26:24 21 have you had any contact with Michael Noonan?

15:26:26 22 **A.** No, I have not.

15:26:27 23 **Q.** Okay. Has he communicated with you in

15:45:08 1 actually, we really need this piece in the film.

15:45:11 2 So it was kind of cobbled together, you

15:45:14 3 know, in we would have the initial trip where a

15:45:16 4 majority I would say of the filming would take

15:45:19 5 place and then for Project Wolf, you know, Noonan

15:45:23 6 would kind of keep calling different on screen

15:45:28 7 personalities in to record this bit that we forgot

15:45:30 8 or this bit that we forgot, et cetera. And it

15:45:33 9 appeared that Project Tiger would have been about

15:45:38 10 the same.

15:45:38 11 Q. Kind of a similar thing?

15:45:40 12 A. Yeah.

15:45:40 13 Q. When you got back to the U.S., at some  
15:45:54 14 point in time, Dr. Noonan was not available to you?

15:45:59 15 Certainly after February 21st, he had been removed  
15:46:01 16 from campus, right?

15:46:02 17 A. Yes.

15:46:03 18 Q. Okay. And who took on the  
15:46:07 19 responsibility for completing the Project Tiger  
15:46:13 20 work, if you know?

15:46:15 21 A. So Dr. Margulis took on the class.

15:46:27 22 Q. Okay. So let me stop you there. So  
15:46:30 23 after you got back from the India trip, there was a

15:46:34 1 class that would meet?

15:46:36 2 **A.** Yes. So we were enrolled in CAC.

15:46:46 3 Pardon me.

15:46:48 4 **Q.** Yeah, that's okay. And Dr. Noonan  
15:46:50 5 would have ordinarily been the moderator or the  
15:46:53 6 instructor for that class?

15:46:54 7 **MS. NANAU:** Objection to form. You can  
15:46:55 8 answer.

15:46:56 9 **THE WITNESS:** Assumedly, yes.

15:47:00 10 **BY MR. D'ANTONIO:**

15:47:00 11 **Q.** Okay. And if I'm looking correctly at  
15:47:03 12 your transcript which is --

15:47:06 13 **MS. NANAU:** AW.

15:47:07 14 **BY MR. D'ANTONIO:**

15:47:08 15 **Q.** -- Exhibit AW for identification, in  
15:47:11 16 the -- on the first page the second -- the  
15:47:15 17 right-hand column under spring 2019 it says ABEC  
15:47:20 18 490 Canisius Ambassadors For Conservation?

15:47:24 19 **A.** Yes.

15:47:25 20 **Q.** Is that the class that would have  
15:47:26 21 followed your Project Tiger trip?

15:47:27 22 **A.** Yes, it is.

15:47:30 23 **Q.** Okay. And it looks like you got -- you

15:47:33 1 got three credits?

15:47:36 2 **A.** Correct.

15:47:37 3 **Q.** And you got an A in the course?

15:47:40 4 **A.** Correct.

15:47:41 5 **Q.** All right. In addition to the  
15:47:49 6 classroom work that Dr. Margulis took on, was there  
15:47:53 7 additional work that was to be done for the course  
15:47:58 8 when you got back?

15:47:59 9 **A.** So the film was the class work.

15:48:03 10 **Q.** I see.

15:48:03 11 **A.** There wasn't additional -- for the on  
15:48:07 12 screen personalities, that was a credit that they  
15:48:10 13 got for doing the project, being a part of the  
15:48:14 14 film, and continuing to be available for additional  
15:48:17 15 interviews.

15:48:18 16 **Q.** You say on screen personnel, you're  
15:48:21 17 talking about some of the students?

15:48:22 18 **A.** Yeah. All of the students except for  
15:48:25 19 me and Hannah.

15:48:25 20 **Q.** Except for you and Hannah?

15:48:27 21 **A.** Yes.

15:48:27 22 **Q.** Okay. Got it. Thank you.

15:48:29 23 **A.** Yes.

15:48:30 1 Q. You didn't as a group ultimately  
15:48:32 2 produce a film that semester, correct?

15:48:34 3 A. We have --

15:48:37 4 MS. NANAU: Objection to form. You can  
15:48:37 5 answer.

15:48:37 6 THE WITNESS: We have not produced a film at  
15:48:39 7 all.

15:48:39 8 BY MR. D'ANTONIO:

15:48:44 9 Q. Okay. Did Dr. Margulis explain to you  
15:48:48 10 why she did not feel that a film could be produced?

15:48:56 11 MS. NANAU: Objection to form. You can  
15:48:57 12 answer.

15:48:57 13 THE WITNESS: No. The only conversation  
15:49:01 14 that she had with us about it was that there was  
15:49:07 15 some sort of legal trouble that wasn't described to  
15:49:10 16 us in any specificity as to why we could not have  
15:49:16 17 the film at that time. But she didn't discuss why  
15:49:21 18 the film couldn't be produced at all past that  
15:49:24 19 class period.

15:49:25 20 BY MR. D'ANTONIO:

15:49:25 21 Q. Got it. Was there a product, some sort  
15:49:32 22 of a product that was produced after you got back  
15:49:36 23 to the United States with respect to the Project

15:49:41 1 Tiger class?

15:49:42 2 **A.** So after getting back and Margulis  
15:49:50 3 saying that for some reason we couldn't have access  
15:49:57 4 to the film to complete, she suggested that we make  
15:50:03 5 a podcast about the experiences that we had had and  
15:50:08 6 we ended up producing a -- three podcast episodes  
15:50:15 7 all about 45 minutes long.

15:50:16 8 **Q.** Three or four?

15:50:17 9 **A.** I remember it being three. It might  
15:50:20 10 have been four. I don't remember. It's been a  
15:50:22 11 long time.

15:50:23 12 **Q.** Okay. Were you involved in creating  
15:50:26 13 the podcasts?

15:50:28 14 **A.** Yes. I was one of the hosts and  
15:50:30 15 editors of the podcast. The other was [REDACTED]

15:50:34 16 **Q.** The two of you were a team?

15:50:38 17 **A.** Correct.

15:50:38 18 **Q.** Okay.

15:50:38 19 **A.** We -- we hosted and kind of engaged in  
15:50:42 20 the interviews with the other students to create  
15:50:45 21 the audio material and then edited that afterwards  
15:50:48 22 to create a finished product.

15:50:55 23 **Q.** Okay. And do you remember receiving

15:54:03 1 much for the warm congratulations. We really  
15:54:06 2 enjoyed making the podcasts and I'm so glad to be  
15:54:09 3 able to share our amazing experience thanks to  
15:54:13 4 Canisius College with others.

15:54:14 5 **A.** Yes.

15:54:15 6 **Q.** Okay. I read that correctly as well?

15:54:16 7 **A.** Yes.

15:54:17 8 **Q.** Okay. Did you in fact ultimately make  
15:54:23 9 additional podcasts?

15:54:24 10 **A.** Yes. So not under the Project Tiger  
15:54:27 11 banner or the CAC banner even. But in conjunction  
15:54:35 12 with 500 Women Scientists which was a -- the  
15:54:41 13 Buffalo pod of 500 Women Scientists which is an  
15:54:45 14 organization a lot of the ABEC professors were a  
15:54:48 15 part of, they worked with us to -- or they wanted  
15:54:56 16 us to produce a few podcast episodes about climate  
15:55:04 17 change stories, local climate change stories.

15:55:12 18 **MR. D'ANTONIO:** BL.

19 **The following was marked for Identification:**

20 **EXH. BL E-mail dated 7/15/19.**

15:55:32 21 **BY MR. D'ANTONIO:**

15:55:42 22 **Q.** I've handed you Exhibit BL for  
15:55:44 23 identification. After you read that, let me know

15:55:52 1 and I have a question or two.

15:56:05 2 **A.** Okay.

15:56:05 3 **Q.** Ms. Boucher, did you create podcasts  
15:56:24 4 with respect to work that Professor Margulis had  
15:56:31 5 done with students in Kenya, if you remember?

15:56:33 6 **A.** Yes.

15:56:39 7 **Q.** Okay.

15:56:39 8 **A.** I think I remember that now.

15:56:40 9 **Q.** How about work that Professor Russell  
15:56:45 10 had done with students who had accompanied him to  
15:56:47 11 Costa Rica?

15:56:48 12 **A.** Yes. That one I remember a little  
15:56:49 13 better.

15:56:50 14 **Q.** Okay.

15:56:51 15 **A.** Yeah.

15:56:51 16 **Q.** Were you paid for the work that you put  
15:56:54 17 in on those podcasts?

15:56:56 18 **A.** I don't remember that, but it seems  
15:57:02 19 like I maybe was.

15:57:06 20 **Q.** Looking at the -- looking at the  
15:57:07 21 last --

15:57:08 22 **A.** Yeah.

15:57:08 23 **Q.** -- looking at the last sentence where

16:07:23 1           **A.**     Yes.

16:07:24 2           **Q.**     Okay.  In the second sentence, you said  
16:07:27 3 we really appreciate the work you and Canisius  
16:07:30 4 College have put in regarding our concerns.

16:07:33 5           Who's the we?

16:07:34 6           **A.**     So the we is me talking about the group  
16:07:49 7 as a whole and -- but I would not at all say that  
16:07:52 8 this represents how the group was feeling.

16:07:58 9           **Q.**     Hold on.  And so our concerns would be  
16:08:05 10 the concerns of the group?

16:08:06 11           **MS. NANAU:**  Objection to the form of the  
16:08:07 12 question.

16:08:07 13           **THE WITNESS:**  I mean, that's how I was  
16:08:12 14 phrasing this, but, again, I would not say that  
16:08:15 15 this accurately reflects the feelings that we were  
16:08:18 16 having at the time.

16:08:19 17           **BY MR. D'ANTONIO:**

16:08:20 18           **Q.**     So you wrote something that you knew  
16:08:22 19 was false, sent to Ms. Walleshauser?

16:08:24 20           **MS. NANAU:**  Objection to the form of the  
16:08:26 21 question.

16:08:38 22           **THE WITNESS:**  I wrote an e-mail using -- how  
16:08:40 23 do I phrase this?

16:08:42 1 **BY MR. D'ANTONIO:**

16:08:42 2 **Q.** I don't know.

16:08:42 3 **A.** So -- yeah, I'm working on it. At this  
16:08:46 4 time, I had just come out of spending almost two  
16:08:49 5 years with someone who would not respond to me,  
16:08:53 6 interact with me, unless I was as nice as possible  
16:08:59 7 and exactly how he wanted me to do everything.

16:09:02 8 And so when we began having difficulties  
16:09:07 9 with the Title IX office, when we weren't getting  
16:09:13 10 responses from them, when we weren't being  
16:09:15 11 communicated to about, you know, specifics  
16:09:19 12 regarding the case or the accommodations that we  
16:09:21 13 could ask for, my response to that because of the  
16:09:27 14 way that I was conditioned by Noonan, was to double  
16:09:31 15 down on the niceties.

16:09:33 16 And in this interaction specifically talking  
16:09:35 17 about the film, I really wanted that film. I  
16:09:40 18 really, really wanted to be able to work on that  
16:09:42 19 project and I was hoping if I keep being nice --  
16:09:44 20 you know, at 20 years old this was my belief -- if  
16:09:48 21 I keep being nice, hopefully I'll get the result  
16:09:51 22 that I want.

16:09:52 23 So, you know, me saying we, our, that was me

16:13:20 1 other files such as the podcast potentially.

16:13:24 2 **BY MR. D'ANTONIO:**

16:13:24 3 **Q.** You just don't know one way or the  
16:13:26 4 other?

16:13:26 5 **A.** No. I -- I did not have access to the  
16:13:28 6 footage until July. So, you know, there -- I'm not  
16:13:36 7 sure what this is. I would imagine it was for the  
16:13:39 8 podcast, but it wasn't the footage.

16:13:44 9 **Q.** Okay. Ms. Boucher, ultimately, did you  
16:14:02 10 have access to the footage that was created in  
16:14:06 11 India on -- for Project Tiger?

16:14:08 12 **A.** I received the footage in July of 2019,  
16:14:20 13 yes.

16:14:20 14 **Q.** Okay. Within about 10 days of the date  
16:14:22 15 that you sent your e-mail off to  
16:14:25 16 Ms. Walleshauser --

16:14:27 17 **MS. NANAU:** Objection to form of the  
16:14:28 18 question.

16:14:28 19 **BY MR. D'ANTONIO:**

16:14:28 20 **Q.** -- that was June 21?

16:14:30 21 **MS. NANAU:** Are you referring to BN?

16:14:32 22 **MR. D'ANTONIO:** I am.

16:14:33 23 **MS. NANAU:** Okay.

16:14:37 1 **THE WITNESS:** Yes.

16:14:40 2 **BY MR. D'ANTONIO:**

16:14:41 3 **Q.** Okay. And by the way, did you tell any  
16:14:44 4 of the other Project Tiger participants that you  
16:14:48 5 had been given access to those images or to that  
16:14:51 6 footage?

16:14:51 7 **A.** Yes. If I recall correctly, I told  
16:14:54 8 them that I had been given access.

16:14:57 9 **Q.** Okay. Did any of them express interest  
16:15:03 10 in assisting you in creating some sort of a product  
16:15:06 11 from that footage?

16:15:07 12 **A.** No. I mean, none of them other than  
16:15:13 13 [REDACTED] had the capability to do so and  
16:15:18 14 [REDACTED] was graduated.

16:15:19 15 **Q.** Did you ultimately create some sort of  
16:15:33 16 product from the images?

16:15:36 17 **MS. NANAU:** Objection to form. You can  
16:15:38 18 answer.

16:15:38 19 **THE WITNESS:** My senior year I created a  
16:15:48 20 trailer for Project Tiger using some of the video.

16:15:54 21 **BY MR. D'ANTONIO:**

16:15:54 22 **Q.** And what is a trailer?

16:15:55 23 **A.** So it was --

16:25:29 1 done that so we're going to make a demand for that.

16:25:32 2 **MS. NANAU:** We've produced a bunch of photos  
16:25:34 3 and I recently got a few more and I will produce  
16:25:36 4 them.

16:25:38 5 **MR. D'ANTONIO:** Okay. Whatever the footage  
16:25:40 6 is that you've got from the Project Tiger  
16:25:42 7 experience or any others.

16:25:43 8 **MS. NANAU:** Of course.

9 **MR. D'ANTONIO:** Thank you.

16:25:43 10 **MS. NANAU:** That's all responsive.

11 **MR. D'ANTONIO:** We're in agreement.

12 **BY MR. D'ANTONIO:**

16:25:52 13 **Q.** Okay. Do you remember, Ms. Boucher,  
16:26:02 14 speaking with Dr. Margulis about a potential issue  
16:26:14 15 related to your ability to fulfill your graduation  
16:26:20 16 requirements?

16:26:23 17 **A.** I'm sorry, can you restate the question  
16:26:26 18 again?

16:26:27 19 **Q.** Yeah, sure. I'm not sure I can, but  
16:26:29 20 I'll try it.

16:26:33 21 Did there come a time when you reached out  
16:26:40 22 to Dr. Margulis asking her to make an exception so  
16:26:49 23 that you could complete the degree requirements for

16:26:52 1 your double major?

16:26:53 2 **MS. NANAU:** Objection to the form. You can  
16:26:55 3 answer.

16:26:56 4 **THE WITNESS:** I asked Dr. Margulis for an  
16:27:00 5 accomodation based on the fact that this class I  
16:27:06 6 mistakenly took my junior year that I registered  
16:27:11 7 for while we were in active conversation with the  
16:27:15 8 Title IX office, I thought when I registered for  
16:27:18 9 it, that it was a class that would count towards my  
16:27:21 10 ABEC major.

16:27:24 11 Because I didn't have an advisor at the  
16:27:27 12 time, Dr. Noonan was my advisor and then he was  
16:27:28 13 gone, and so I registered with -- registered for  
16:27:32 14 classes with only Dr. Dunkle who was my film  
16:27:37 15 advisor as my advisor for classes overall.

16:27:40 16 So I asked Dr. Margulis when I realized that  
16:27:44 17 it was not a class that I could count towards my  
16:27:48 18 ABEC degree --

16:27:48 19 **BY MR. D'ANTONIO:**

16:27:49 20 **Q.** Yep.

16:27:49 21 **A.** -- I asked her to make an accomodation  
16:27:51 22 for me because of the timeline. I registered for  
16:27:54 23 that class while we were going through the

16:27:57 1 situation with Dr. Noonan and the Title IX office  
16:28:00 2 and I asked her if since she knew how difficult  
16:28:03 3 that situation was, hopefully, if she could make an  
16:28:11 4 exception for me with that class.

16:28:13 5 The class was anthrozoology and it was  
16:28:18 6 taught by an ABEC professor and it was -- surprised  
16:28:21 7 it wasn't considered an ABEC class, but --

16:28:23 8 Q. And actually, I think Dr. Dunkle was  
16:28:28 9 the one that gave you the advice that it would  
16:28:31 10 count towards your --

16:28:32 11 A. I believe so, yes.

16:28:33 12 Q. Okay. And Dr. -- Dr. Margulis, did she  
16:28:36 13 ultimately grant the exception you requested?

16:28:39 14 A. No, she --

16:28:39 15 MS. NANAU: Objection to form.

16:28:41 16 THE WITNESS: She did not.

16:28:41 17 BY MR. D'ANTONIO:

16:28:42 18 Q. Did she offer an exception that would  
16:28:44 19 have allowed you to graduate on time --

16:28:47 20 MS. NANAU: Objection.

16:28:48 21 BY MR. D'ANTONIO:

16:28:48 22 Q. -- a different exception?

16:28:49 23 A. No. We figured out through, as I

16:35:21 1 be happy with you about that. She's really  
16:35:25 2 frustrated with the fact that people keep asking  
16:35:27 3 her to count this class as a credit.

16:35:29 4 **Q.** Well --

16:35:31 5 **A.** So that in combination with this  
16:35:35 6 language, my answer has always been no, don't  
16:35:38 7 assume every course, I would never give you advice  
16:35:46 8 on what DMA courses you should take, that was  
16:35:50 9 colder than I had recalled her being previously.

16:35:55 10 **Q.** Did you ever speak with her about it?  
16:35:59 11 I mean speak --

16:36:00 12 **A.** In person?

16:36:01 13 **Q.** -- did you ever actually show up in her  
16:36:03 14 office and talk it -- talk it through?

16:36:04 15 **A.** Not that I recall, no.

16:36:09 16 **Q.** Okay. At this point, you were a  
16:36:10 17 senior, right?

16:36:11 18 **A.** Yes.

16:36:11 19 **Q.** You'd been an ABEC major for four  
16:36:15 20 years?

16:36:15 21 **A.** Yes.

16:36:15 22 **Q.** You had taken Dr. Margulis in courses?

16:36:19 23 **A.** I mean, with -- I guess as my CAC

17:06:17 1           You know, especially working at the fish and  
17:06:20 2 wildlife service, it should have been on paper like  
17:06:24 3 the perfect job, right? I mean, it was --

17:06:27 4           **Q.**     Yeah.

17:06:28 5           **A.**     The fish and wildlife service I was  
17:06:32 6 doing science communication which at that point I  
17:06:35 7 had decided was the career path I -- I needed to go  
17:06:39 8 after because I didn't think that a Ph.D was in the  
17:06:42 9 cards.

17:06:46 10           But at the U.S. Fish and Wildlife Service, I  
17:06:52 11 felt like I was missing something. Like, you know,  
17:06:57 12 college was supposed to teach me about my career  
17:07:03 13 and I felt like I didn't get that.

17:07:05 14           And then at the U.S. Fish and Wildlife  
17:07:09 15 Service, I felt completely lost because I was not  
17:07:15 16 enjoying what I was doing at all. And the -- I was  
17:07:24 17 hoping -- I took a gap year to do the fish and  
17:07:29 18 wildlife service job hoping to gain some sort of  
17:07:32 19 key that I did not get in college, right?

17:07:35 20           Some knowledge that I felt I was lacking  
17:07:39 21 because I felt like I didn't understand how to  
17:07:52 22 function in my career at all and so I talked about  
17:07:59 23 that with her.